

CARLISLE PLANNING BOARD

MINUTES

FEBRUARY 11, 1991

Present:

Vivian F. Chaput, Chairman  
Stephen P. Tobin  
Sylvia J. Sillers  
Phyllis W. Hughes  
George B. Foote  
Jill Natola  
Elaine H. Olden,  
Planner Assistant

Harold Sauer, Selectman  
Wanda Milik, Selectman

Meeting called to order at 8:30 p.m.

Planning Board Membership

The Planning Board and the Selectmen discussed the procedure for resignation from the Planning Board. Since Mr. Tobin wishes to resign in order for his position to be filled at the next election, he decided to resign immediately. The Planning Board instructed Mrs. Olden to notify the Selectmen immediately of Mr. Tobin's resignation so that the position will be on the election ballot. It was agreed that the Selectmen and the Planning Board will meet in joint session at the Town Offices on Tuesday, February 26, 1991, in order to appoint an interim member to serve until the election.

Mr. Sauer led a consideration of the candidates for the Planning Board position left vacant by Mr. Lindsay's resignation in December. In considering Charles Evans offer to serve only until the election, it was the consensus that Mr. Evans is a valuable asset to the Town and that a two-month commitment to the Planning Board is not long enough considering the complexity and long-term nature of its work. Noting that the thrust of the Planning Board's activity at present and for the foreseeable future is long-term planning rather than project supervision, on motion by Wanda Milik seconded by George Foote, on a roll call vote, the members of both boards voted unanimously to appoint Scott Evans to the interim position: Milik, Selectman, yes; Sauer, Selectman, yes; Natola, Planning Board member, yes; Chaput, Planning Board member, yes; Hughes, Planning Board member, yes; Sillers, Planning Board member, yes; Tobin, Planning Board member, yes; Foote, Planning Board member, yes.

Minutes

CARLISLE PLANNING BOARD MINUTES  
FEBRUARY 11, 1991  
PAGE 2

On motion by Ms. Hughes seconded by Ms. Sillers, the Planning Board members voted unanimously to approve the minutes of the January 7, 1991, meeting. On motion by Ms. Hughes seconded by Ms. Sillers, the members voted unanimously to approve the minutes of the January 15, 1991, meeting, with the insertion of 10:45 p.m. as the time of adjournment. On motion by Ms. Sillers seconded by Ms. Hughes, the members voted unanimously to approve the minutes of January 21, 1991, as presented.

Bills

The members authorized payment of bills as presented and reviewed a summary of this fiscal year's expenditures prepared by Mr. Tobin. Mr. Foote reported that the Long Term Capital Expenditure Committee has been rejuvenated and that it plans to coordinate its work with the Master Plan.

Release of Performance Guarantee for Hayes Farm Subdivision

After discussion, the members agreed to accept an oral report made to Mrs. Olden by John Anthony of Cleverdon, Varney & Pike, the Board's consulting engineers, that the open items in his December 3, 1990, letter have been completed. On motion by Mr. Foote seconded by Ms. Hughes, Mr. Foote, Ms. Hughes, Ms. Chaput, Mr. Tobin, and Ms. Natola voted to release the "Performance Secured by Lender's Agreement" dated November 24, 1989, upon payment of all expenses incurred by the Board for engineering review and inspection. Ms. Sillers voted in opposition. The members noted a letter from Joel Lerner of the Division of Conservation Services dated February 11, 1991, outlining some difficulties he has in recommending acceptance of the Conservation Restriction on the trail in this subdivision, and Mr. Foote agreed to follow up with representatives of the subdivision owner by telephone on Tuesday morning, to pursue this matter and to arrange finalization of the release.

Ice Pond Road Fire Protection

The members noted in passing that the letter from Joel Lerner discussed in connection with Hayes Farm also contains comments about the Ice Pond Road Cluster Special Permit Open Space Conservation Restriction.

On motion by Mr. Foote seconded by Ms. Hughes, the members voted unanimously to endorse the easement executed on January 22, 1991, by Norman and Mary Ann Brooks.

Public Hearing on Regulations Changes

At 10:30 p.m., Chairman Chaput called to order the public hearing

CARLISLE PLANNING BOARD MINUTES  
FEBRUARY 11, 1991  
PAGE 3

on proposed regulation changes (copy of all proposed changes and public hearing notice to be attached to these minutes in the file). No members of the public were present. After a lengthy discussion of details of the proposed subdivision regulation changes, the members noted that some information was still needed before a final decision could be made, and also that the proposed Common Driveway Special Permit regulation changes and the proposed Conservation Cluster Special Permit regulations were still to be considered. At 11:47 p.m. Chairman Chaput continued the public hearing to February 26, 1991, at 8:00 p.m. at the home of Phyllis Hughes, at which time, after progress reports on the needed information are made, further discussion of the proposed regulations will be scheduled for a future meeting.

Meeting adjourned at 11:47 p.m.

Respectfully submitted,

Elaine H. Olden  
Planner Assistant

## Proposed Subdivision Regulation Revisions

### \*ADD

2.A.2.d. "Deadend Street" shall mean that portion of a street system to which access would be denied by closure of the street system at a single point.

### \*CHANGE HEADER

3.A.2. Fees and Expenses to Application Fee

### \*DELETE

3.A.2 . . . This fee covers no expenses incurred by the Board for professional services of engineers and attorneys in connection with review or inspection of the Plan, associated documents, and the subdivision.

The subdivider shall reimburse the Town for all expense incurred by the Board for professional services, including, but not limited to, engineers, surveyors and attorneys, rendered in connection with review or recording of the Plan and associated documents and engineering and inspection of the Plan and subdivision.

### \*REVISE

3.A.3.a All information specified in Section 3.B.2 Contents of Definitive Plan indicated with an asterisk (\*).

### \*DELETE

3.A.3.e [redundant - asterisked in 3.B.2]

### \*REVISE

3.B.1.b [fee schedule]

### \*DELETE

3.b.1.b . . . (Engineering and related expenses will be billed in accordance with Sec. 3-A-2.)

### ADD

3.B.1.e. A list of Parties in Interest certified by the Board of Assessors

### \*ADD

3.B.1.f. Certification by the Board of Health that a copy of the Planning Board application package (within the exception of the Certification hereby required) has been submitted to the Board of Health pursuant to M.G.L. Ch. 41, Section 81-U and Section 3.B.3 of these regulations.

### \*ADD UNDERLINED TEXT (MOVED FROM NOTE ON PAGE 9)

3.B.2. . . . The Definitive Plan shall contain the following information, all of which shall be deemed to constitute the Definitive Plan of the subdivision (items marked \*

are required on both preliminary and definitive plans):

\*DELETE 3.B.2.a. THROUGH 3.B.2.D. AND REPLACE WITH:

3.B.2.a. Existing Site Features

- (1)\* Existing lines of streets, bike/footpaths, woodspaths, ways, easements, and any public or common areas within the subdivision.
- (2)\* Major site features, which include but are not limited to:
  - aa) stone walls
  - bb) buildings
  - cc) swamps
  - dd) waterways
  - ee) ancient or very large trees
  - ff) prominent rock outcroppings
  - gg) large erratic boulders
  - hh) ancient cellar holes
  - ii) historical landmarks
  - jj) trails
- (3)\* Location of any zoning boundary lines that lie within the area, including the overlay Wetland/Flood Hazard District.
- (4) Existing topography of the entire subdivision at a two-foot contour interval.
- (5)\* Location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision.
- (6) Location of all permanent monuments.

3.B.2.b. Proposed Site Features

- (1)\* Subdivision boundaries.
- (2)\* The proposed names of proposed streets (a) shall not conflict with existing road names; and (b) shall be appropriate to the site, such as but not limited to names of Native Americans, early settlers, or natural features associated with the site.
- (3)\* Proposed lines of streets, bike/footpaths, woodpaths, ways, easements, and any public or common areas within the subdivision.
- (4) Proposed system of storm drainage, including any appurtenances.
- (5) Detail drawings of proposed catch basins, headwalls, manholes and other structures to be constructed in connection with the drainage system.

- (6) Proposed topography of the entire subdivision at a two-foot contour interval.
- (7) The location, if any, within the subdivision to be used for the disposal of wood wastes, tree stumps or wood debris generated by the clearing of land in connection with the subdivision.
- (8) Location of all permanent markers.

3.B.2.c. Labelling

- (1)\* North point
- (2) Sufficient data to determine readily the location on the ground, the compass bearing, and length of every street and way line, lot line and boundary line. (All bearings shall be referred to the true meridian.)
- (3) All proposed lots shall be designated numerically and in sequence, with the lot lines drawn in a dotted line.
- (4) The zoning classification of the land that contains the property.
- (5) Names and addresses of all abutters as determined from the most recent local tax list, including names of owners of land separated from the subdivision only by a street.
- (6) Suitable space to record the action of the Board and the signatures of the members of the Board (or officially authorized person) on each sheet of the Plan.
- (7) The legend, "No lot shall be built upon until it complies with the applicable Zoning Bylaw and regulations of the Town of Carlisle".
- (8) Width and location of proposed roadways and any sidewalks, bike/footpaths and woods paths within and adjacent to the subdivision.
- (9)\* For each proposed lot: area, dimensions, the ellipse required by Section 4.1.3.3 of the town of Carlisle Zoning Bylaws and, if applicable, the circle required by Section 4.1.2.2.4.3 of the Town of Carlisle Zoning Bylaws.
- (10)\*The following information shall appear on the top sheet of the plan in the bottom right hand corner:

Plan title/subdivision name; date; scale;  
name and address of record owner, applicant,  
and engineer or surveyor.

3.B.2.d. Additional Information

- (1) A location plan of the subdivision, at a scale of 200 feet to the inch, showing
  - aa. the exterior lines of all proposed streets in the subdivision and their location in relation to one or more existing streets, or portions thereof and
  - bb. soil types as determined by the Soil Conservation Service and a key to the soil types shown on the location plan.
- (2) A key to the soil types shown on the location plan.
- (3) All drainage system design calculations.
- (4) A layout plan on a separate sheet showing sidelines, centerline, points of tangency, length of tangents, length of curves, intersection angles and radii or curves for each street in the subdivision, together with all buildings, walks, drives and other existing fixtures within forty (40) feet of the sidelines of such street, including trees of major size and shrubbery that impairs sightlines and visibility at corners and intersections. Centerlines, points of tangency, and figures shall be in red; other data shall be in black. The layout plan shall also show the size, location and elevation of all storm drains and the appurtenances existing in or proposed for each street.

Directly above or below the layout plan of each street, a profile showing existing and proposed grades along the centerline and sidelines of that street, together with figures of elevation at the top and bottom of all even grades and at twenty-five (25) foot intervals along all vertical curves. The horizontal scale of the profiles shall be forty (40) feet to one inch, the vertical scale shall be four (4) feet to one inch. Lines and figures indicating existing conditions shall be in black; lines and figures indicating proposed grades shall be in red.

- (5) If the applicant proposes to protect land as open space:
  - aa. a document in draft form pursuant to [CR cite]
  - bb. a covenant in draft form wherein the Grantor imposes restrictions on the land substantially similar to the normal Conservation Restriction for the maximum period of time allowable under the law.

\*Items so marked are required on both preliminary and definitive

plans.

INSERT NEW 3.B.3

3.B.3. Review Fees

1. When reviewing an application for, or when conducting inspections in relation to, definitive plan approval, the Planning Board may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project, because of a project's potential impacts, or because the Town of Carlisle lacks the necessary expertise to perform the work related to the approval. The Board may require that applicants pay a "project review fee" consisting of the reasonable costs incurred by the Board for the employment of outside consultants engaged by the Board to assist in the review of a proposed project or inspection of an approved project.

2. In hiring outside consultants, the Board may engage engineers, planners, lawyers, urban designers or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, bylaws, and regulations. Such assistance may include, but not be limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the Board's decision or regulations, or inspecting a project during construction or implementation.

3. Funds received by the Board pursuant to this section shall be deposited with the municipal treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Board without further appropriation. Expenditures from this special account shall be made only for services rendered in connection with a specific project or projects for which a project review fee has been or will be collected from the applicant. Accrued interest may also be spent for this purpose. Failure of an applicant to pay a review fee shall be grounds for disapproving a project or rescission of an approval of a project.

4. At the completion of the Board's review of a project, any excess amount in the account, including interest, attributable to a specific project shall be repaid to the applicant or the applicant's successor in interest. A final report of said account shall be made available to the applicant or the applicant's successor in interest. For the purpose of this regulation, any person or entity claiming to be an applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.

5. Any applicant may take an administrative appeal from the selection of the outside consultant to the Board of Selectmen. Such appeal must be made in writing and may be taken only within 20 days after the Planning Board has mailed or hand-delivered notice to the applicant of the selection. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum, required qualifications. The minimum qualifications shall consist either of an educational degree in, or related to, the field at issue or three or more years of practice in the field at issue or a related field. The required time limit for action upon an application by the Board shall be extended by the



duration of the administrative appeal. In the event that no decision is made by the Board of Selectmen within one month following the filing of the appeal, the selection made by the Board shall stand.

CHANGE 3.B.3. TO 3.B.4. AND CHANGE "LOTS" TO "AREAS" AS UNDERLINED

3.B.3. Review by Board of Health as to Suitability of the Land

At the time of filing of the Definitive Plan, the subdivider shall also file with the Board of Health two contact prints of the Definitive Plan, dark line on white background. The Board of Health shall within forty-five (45) days after filing of the plan report to the Planning Board in writing the approval or disapproval of said plan. (Board of Health approval of the plan is not equivalent to a building permit approval for a site within the limits of the plan.) If the Board of Health disapproves said plan, it shall make specific findings as to which, if any, of the areas shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefor in such report, and, where possible, shall make recommendations for the adjustment thereof.

RE-NUMBER PRESENT 3.B.4. TO 3.B.6 and revise as below

INSERT NEW 3.B.7 AS BELOW

RE-NUMBER PRESENT 3.B.5. TO 3.B.8

3.B.6. TO 3.B.9

3.B.7. TO 3.B.10

INSERT NEW 3.B.5. AS FOLLOWS:

3.B.5. Plan Changes

3.B.5.a. Submission. Revisions to Definitive Plans shall be submitted as changes to original Definitive Plans or new drawings which comply with the requirements of Section 3.B.2.a. as applicable. A letter of request and an original and two copies of the plans shall be submitted to the Board.

3.B.5.b. Determination of Significance. The Planning Board shall notify the applicant that the Planning Board has (1) approved or disapproved the requested change or (2) determined that a public hearing must be held before Planning Board action on the change.

3.B.6. Performance Guarantee.

3.B.6.a. Condition of Endorsement

Before endorsement by the Planning Board of an approved definitive plan, the subdivider shall agree to complete the construction of ways and installation of municipal services in accordance with these Rules and Regulations for all lots in the subdivision, such construction and installation to be secured by one, or in part by one and in part by the other, of the following methods which may from time to time be varied by the applicant:

- (1) Final approval with bonds or surety

[present text]

(2) Final approval with lender's contract

[present text]

(3) Final approval with covenant

[present text]

3.B.6.b.1. Request for Release

Upon the completion of improvements required hereby, security for the performance of which was given by bond, deposit, contract, or covenant, or upon the performance of any covenant with respect to any lot, the applicant may request and agree on terms of release with said Planning Board, or he may send by registered mail to the Town Clerk a written statement in duplicate that the said construction or installation in connection with which such bond, deposit, contract or covenant has been given has been completed in accordance with the requirements contained hereunder, such statement to contain the address of the applicant and the Town Clerk shall forthwith furnish a copy of said statement to the Planning Board.

3.B.6.b.2. As-Built Plan

The Request for Release shall be accompanied by an "as-built" plan representing all deviations from the originally-approved and recorded plan in the form of revised sheets of said plan and supplemental sheets as required. The as-built plan shall show

- (aa) all underground utilities
- (bb) all field changes pertaining to slope, drainage, unforeseen water-table leaching from bank cuts, etc., made on instructions of the Board engineer or the Board.

3.B.6.b.3. The Request for Release shall be accompanied by evidence that the fee interest in the road has been transferred to the corporate entity created pursuant to Section 3.B.6.

INSERT NEW SECTION

3.B.7. Road Ownership and Maintenance

3.B.7.a. Condition of Endorsement

Before endorsement by the Planning Board of an approved definitive plan, the applicant shall provide documents acceptable to the Planning Board

- (1) to create a single corporate entity which

(aa) will hold title to the fee interest in the road and all easements relative thereto and (bb) shall be responsible for the maintenance of the road and related structures and storm drain, storm water and water discharge easements. Said entity shall include a demonstrable long-term ability to maintain the road and related structures and easements; and

(2) a form of agreement binding the corporate entity to maintain the road and related structures and easements in good condition and open to provide sufficient access for fire, police, ambulance/rescue and other vehicles at all seasons;

\*REVISE

3.B.10 (previously 3.B.7)

. . . four (4) prints thereof, to be distributed by the Planning Board to the consulting engineer, the Conservation Commission, the Board of Assessors, and the Planning Board file

RE-NUMBER 3.D TO 3.D.2, REVISE AS BELOW, ADD 3.D.1 AS FOLLOWS, AND CHANGE HEADER FROM SUBDIVISION COMPLETION TIME LIMIT TO TIME LIMITS

3.D. Time Limits

3.D.1. Failure to record the plan and all documents associated with the approval within 60 days of the completion of the appeal period shall automatically rescind approval of the plan unless approval has been extended by the Board and said extension filed in the Town Clerk's office.

DELETE TEXT IN BRACKETS AND REPLACE WITH UNDERLINED TEXT

3.D.2. Subdivision approvals are granted for a two-year period. Failure to complete the construction of the ways by the end of that period in accordance with the applicable rules and regulations of the Planning Board shall automatically rescind approval of the plan unless approval with or without modification of the plan has been extended by the Board [if, at the end of that period, construction the subdivision is not completed and the streets have not been accepted by the town, or are not then on a warrant for consideration at the next Town Meeting, the Planning Board shall either withdraw its prior approval all or in part, or shall extend its approval for another two-year period, with or without modification].

DELETE THE TEXT OF 4.A.3.b AND REPLACE WITH:

The radii of curved streets shall be sufficient to safely accommodate all normal traffic. Considerations shall include but not be limited to sight lines, terrain, street width, street grades, and anticipated traffic flow. Warning signs shall be provided where appropriate.

DELETE THE TEXT OF 4.A.3.d AND REPLACE WITH:

The curb radius at street intersections shall be sufficient to safely accommodate all normal traffic. Considerations shall include but not be limited to sight lines, terrain, street width, street grades, and anticipated traffic flow. Property lines at street intersections shall be such that at least an eight foot shoulder, measured perpendicular to the subdivision road centerline, exists within the subdivision road right of way.

ADD:

4.A.4.d

. . . except where alternate means of flow and erosion control, acceptable to the Board, is provided.

\*DELETE THE TEXT OF 4.A.5.a. AND REPLACE WITH:

No part of the street right of way shall be more than 1,000 feet measured by a line totally contained within the right of way from the point of closure referred to in the definition of a deadend street in Section 2.A.2.d of these regulations.

ADD

4.B.4. Any easement under this section shall be assigned to the corporate entity as required by Section 3.B.6 or to the Town, as determined by the Planning Board.

\*DELETE THE TEXT OF 4.E. AND REPLACE WITH:

All reasonable efforts shall be made to preserve natural features both within and without the road right of way, such as, but not limited to, existing vegetation, water courses, open space, large trees, large boulders and rock outcroppings, wetlands, scenic views and historic locations.

CHANGE 2500 FEET TO 2000 FEET AS UNDERLINED

4.F. Fire Protection

4.F.1. No lot within the subdivision shall be further than 2000 feet from an adequate source of water, as defined below, measured along an existing public way and/or proposed subdivision road shown on the Plan and the access way to the source of water.

DELETE TEXT IN BRACKETS AND REPLACE WITH UNDERLINED TEXT

4.F.2.c. The installation of a dry hydrant connected to a storage tank with minimum capacity of 1,000 gallons, which tank shall be automatically maintained at full capacity by recharge from a well and pump system [satisfactory, as shown to the Board in writing, to the Chief of the Town Fire Department] satisfactory to the Board.

DELETE TEXT IN BRACKETS AND ADD UNDERLINED TEXT:

5.A.1. The entire area of each street shall be cleared of all stumps, brush, roots, boulders, trees, and like material, not intended for preservation[. (See Section 4-E above.)] pursuant to Section 4.E. Notwithstanding Section 4.E, all vegetation, stumps, brush, boulders, and the like shall be cleared six (6') feet from the shoulders required in Section 5.D.

ADD UNDERLINED TEXT AND DELETE BRACKETED TEXT

5.D. Shoulders

5.D.1. Notwithstanding the provisions of Section 5.D.2.,  
stabilized [sod] shoulders having a width of at least six (6)  
feet o minor streets and eight (8) feet on through streets shall  
be constructed on each side of the roadway.

5.D.2. Such shoulders shall consist of at least four (4)  
inches of good quality loam, rolled and seeded, laid on at least  
nine (9) inches of well-compacted base material except where  
erosion control requires use of alternative material.

REPLACE PRESENT TEXT WITH NEW TEXT AS FOLLOWS:

5.K. Inspections

The subdivider shall notify the Board in  
accordance with the following schedule:

Inspection before:

To include:

Installation of drainage

Clearing, grubbing and rough  
grading

Backfilling

Drainage: pipes, catch basins,  
manholes, headwalls, sub-  
drains, utilities

Placing gravel base

Sub-base grading

Bituminous concrete binder course

Placing of gravel base, fine  
grading

Bituminous concrete finish course

Observation of binder course  
installation

Release of performance guarantee

Setting castings to finish  
grade; bituminous concrete  
surface course, curbing,  
grading, loaming and seeding  
of shoulders, street signs,  
bounds, graded ditches,  
finished swales